

FILED

October 06, 2021

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: _____ DT
DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNY GEORGE GONZALEZ,

Defendant.

CAUSE NO. EP-21-CR-**INDICTMENT EP-21-CR-01657-FM**

**CT 1: 18 U.S.C. § 2241(c) –
Aggravated Sexual Abuse of a Child;
and**

**CT 2: 18 U.S.C. §§ 2251(a) & (e) –
Production of a Visual Depiction of a
Minor Engaging in Sexually Explicit
Conduct; and**

**CT 3: 18 U.S.C. § 2423(b) – Travel
With Intent to Engage in Illicit Sexual
Conduct; and**

**CT 4: 18 U.S.C. §§ 2251(d)(1)(A) and
(e) – Advertising of a Visual Depiction
Involving the Sexual Exploitation of a
Minor; and**

**CT 5: 18 U.S.C. §§ 2252(a)(2) and
(b)(1) – Receipt and Distribution of a
Visual Depiction Involving the Sexual
Exploitation of a Minor; and**

**CT 6: 18 U.S.C. §§ 2252(a)(4)(A), (B),
and (b)(2) – Possession of a Visual
Depiction Involving the Sexual
Exploitation of a Minor
(Prepubescent/Under 12 years of Age).**

**Notice of Government's Demand for
Forfeiture**

THE GRAND JURY CHARGES THAT:**COUNT ONE****(18 U.S.C. § 2241(c) – Aggravated Sexual Abuse of a Child)**

On or about July 31, 2021, in the Western District of Texas, the District of New Mexico,
and the Northern District of Texas, Defendant,

JOHNNY GEORGE GONZALEZ,

did knowingly cross a State line with intent to engage in a sexual act, to wit, the intentional touching, not through the clothing, of the genitalia of another person who had not attained the age of sixteen (16) years with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person, with Minor A, in violation of Title 18, United States Code, Section 2241(c).

COUNT TWO

(18 U.S.C. §§ 2251(a) & (e) – Production of Child Pornography)

Between on or about July 31, 2021, and continuing through and including on or about August 4, 2021, in the Western District of Texas, the District of New Mexico, and the Northern District of Texas, Defendant,

JOHNNY GEORGE GONZALEZ,

did employ, use, persuade, induce, entice, and coerce any minor, to wit, Minor A, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and the visual depiction was transported using any means and facility of interstate and foreign commerce, and the visual depiction was transported in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Sections 2251(a) and (e).

COUNT THREE

(18 U.S.C. § 2423(b)) – Travel With Intent to Engage in Illicit Sexual Conduct)

On or about July 31, 2021, in the Western District of Texas, the District of New Mexico, and the Northern District of Texas, Defendant,

JOHNNY GEORGE GONZALEZ,

did travel in interstate and foreign commerce for the purpose of engaging in illicit sexual conduct,

as defined in Title 18, United States Code, Section 2423(f), with another person, in violation of Title 18 United States Code, Section 2423(b).

COUNT FOUR

(18 U.S.C. §§ 2251(d)(1)(A) and (e) – Advertising of a Visual Depiction Involving the Sexual Exploitation of a Minor)

Between on or about April 1, 2021, and continuing through and including on or about June 4, 2021, in the Western District of Texas, and elsewhere, Defendant,

JOHNNY GEORGE GONZALEZ,

knowingly made, printed, and published a notice and advertisement offering to exchange, display, and distribute one or more visual depictions, the production of which involved the use of a minor engaging in sexually explicit conduct and which visual depictions were of such conduct, knowing and having reason to know that such notice and advertisement would be transported using any means and facility of interstate and foreign commerce and in and affecting such commerce by any means including by computer, and where such notice and advertisement was actually transported using any means and facility of interstate and foreign commerce and in or affecting such commerce by any means including by computer, in violation of Title 18, United States Code, Sections 2251(d)(1)(A) and (e).

COUNT FIVE

(18 U.S.C. §§ 2252(a)(2) and (b)(1) – Receipt and Distribution of a Visual Depiction Involving the Sexual Exploitation of a Minor)

Between on or about May 1, 2021, and continuing through and including on or about August 3, 2021, in the Western District of Texas, and elsewhere, Defendant,

JOHNNY GEORGE GONZALEZ,

did knowingly receive and distribute any visual depiction that had been mailed and transported in interstate and foreign commerce, and which contains materials which had been so transported, by

any means including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct and which visual depiction was of such conduct, all in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

COUNT SIX

**18 U.S.C. §§ 2252(a)(4)(A),(B), (b)(2) and 7
(Possession of a Visual Depiction Involving the Sexual Exploitation of a Minor -
Prepubescent/Under 12 years of Age)**

On or about September 9, 2021, in the Western District of Texas, Defendant,

JOHNNY GEORGE GONZALEZ,

did knowingly possess matter, which contained any visual depiction, the production of which involved the use of a minor engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), which visual depictions had been produced using material transported in interstate and foreign commerce, to wit: by computer, and were produced using materials which had been shipped and transported in interstate and foreign commerce by any means, including by computer, and the production of which involved the use of a minor engaging in sexually explicit conduct, said minor being prepubescent and having not attained the age of twelve (12) years, and such visual depictions were of such conduct, in violation of Title 18, United States Code, Sections 2252(a)(3)(A), (B), and (b)(2).

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

I.

Sexual Exploitation of Children Violations and Forfeiture Statutes

[Title 18 U.S.C. §§ 2241(c), 2251(a),(e) & (d)(1)(A), 2423(b), 2252(a)(2), (b)(1), (a)(4)(A), (B), and (b)(2), subject to criminal forfeiture pursuant to Title 18 U.S.C. §§ 2428 and 2253(a)(1), (2), and (3)]

As a result of the criminal violations set forth in Counts One through Six, the United States gives notice of its intent to seek the forfeiture of certain property from Defendant **JOHNNY GEORGE GONZALEZ** upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. §§ 2428, and 2253(a)(1), (2), and (3), which state:

18 U.S.C. § 2428. Forfeitures

*** * ***

(a) **In general.**- The court, in imposing sentence on any person convicted of a violation of this chapter, shall order, in addition to any other sentence imposed and irrespective of any provision of State Law, that such person shall forfeit to the United States-

- (1) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and
- (2) any property real or personal, constituting or derived from any proceeds that such person obtained, directly or indirectly, as a result of such violation.

Title 18 U.S.C. § 2253. Criminal Forfeiture

*** * ***

(a) **Property subject to criminal forfeiture.**- A person who is convicted of an offense under this chapter involving a visual depiction described in section 2251, 2251A, 2252, 2252A, or 2260 of this chapter or who is convicted of an offense under section 2251B of this chapter, or who is convicted of an offense under chapter 109A, shall forfeit to the United States such person's interest in-


- (1) any visual depiction described in section 2251, 2251A, 2252, 2252A, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;
- (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- (3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

This Notice of Demand for Forfeiture includes but is not limited to the properties described in Paragraph II.

II.
Properties

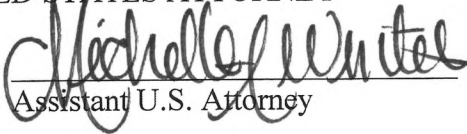
1. Any and all other property and/or accessories involved in or used in the commission of the criminal offense; and
2. Any and all other property involving any visual depiction described in section 2251, 2251A, or 2252, 2252A, 2252B, or 2260.

A TRUE BILL.


FOREPERSON OF THE GRAND JURY

ASHLEY C. HOFF
UNITED STATES ATTORNEY

BY:


Assistant U.S. Attorney